

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

In re Terrorist Attacks on September 11, 2001

03 MDL 1570 (GBD)(SN)

This document relates to:

Gordon Aamoth, Sr., et al. v. Islamic Republic of Iran, No. 1:18-cv-12276 (GBD) (SN)
Lloyd A. Abel Sr., et al. v. Islamic Republic of Iran, No. 1:18-cv-11837 (GBD) (SN)
Cheryl Rivelli, et al. v. Islamic Republic of Iran, No. 1:18-cv-11878 (GBD) (SN)
Horace Morris, et al. v. Islamic Republic of Iran, No. 1:18-cv-05321 (GBD) (SN)
Laurence Schlissel, et al. v. Islamic Republic of Iran, No. 1:18-cv-05331 (GBD) (SN)
Bakahityar Kamardinova, et al. v. Islamic Republic of Iran, No. 1:18-cv-05339 (GBD) (SN)
Jessica DeRubbio, et al. v. Islamic Republic of Iran, No. 1:18-cv-05306 (GBD) (SN)
Audrey Ades, et al. v. Islamic Republic of Iran, No. 1:18-cv-07306 (GBD) (SN)
Chang Don Kim, et al. v. Islamic Republic of Iran, No. 1:18-cv-11870 (GBD) (SN)
Marinella Hemenway, et al. v. Islamic Republic of Iran, No. 1:18-cv-12277 (GBD) (SN)
Matthew Rowenhorst, et al. v. Islamic Republic of Iran, No. 1:18-cv-12387 (GBD) (SN)
BNY Mellon, et al. v. Islamic Republic of Iran, No. 1:19-cv-11767 (GBD) (SN)
Deborah Bodner, et al. v. Islamic Republic of Iran, No. 1:19-cv-11776 (GBD) (SN)
August Bernaerts, et al. v. Islamic Republic of Iran, No. 1:19-cv-11865 (GBD) (SN)
Ber Barry Aron, et al. v. Islamic Republic of Iran, No. 1:20-cv-09376 (GBD) (SN)
Paul Asaro, et al. v. Islamic Republic of Iran, No. 1:20-cv-10460 (GBD) (SN)
Michael Bianco, et al. v. Islamic Republic of Iran, No. 1:20-cv-10902 (GBD) (SN)

**PLAINTIFFS' NOTICE OF MOTION FOR PARTIAL FINAL JUDGMENT FOR
DAMAGES ON BEHALF OF THE PLAINTIFFS IDENTIFIED IN EXHIBITS A AND
EXHIBITS B**

PLEASE TAKE NOTICE that upon the accompanying Memorandum of Law and Declaration of Jerry S. Goldman, Esq. ("Goldman Declaration") with the exhibits attached thereto, and the exhibits submitted with access restricted to the Court pursuant to the May 5, 2022 Order, ECF No. 7963, pertaining to expert reports submitted in support of default judgments, certain of the plaintiffs in the above-referenced matters who are identified in annexed Exhibits A-1 to A-7 (collectively, "Exhibits A") and annexed Exhibits B-1 to B-15 (collectively, "Exhibits B") to the Goldman Declaration, by and through their counsel, Anderson Kill P.C., respectfully move this Court for an ORDER:

- (1) determining that service of process in the above-captioned matters was properly effected upon Defendant Islamic Republic of Iran (“Iran”) in accordance with 28 U.S.C. § 1608(a) for sovereign defendants and 28 U.S.C. § 1608(b) for agencies and instrumentalities of sovereign defendants;¹ AND,
- (2) awarding the Plaintiffs identified in annexed Exhibits A judgments against Iran as to damages in the same amounts previously awarded by this Court to various similarly situated plaintiffs in *Burnett, Havlish, Ashton, Bauer, O’Neill*, and other cases; AND,
- (3) awarding solatium damages to those Plaintiffs identified in Exhibits A in the amounts of \$12,500,000 per spouse, \$8,500,000 per parent, \$8,500,000 per child, and \$4,250,000 per sibling, as set forth in annexed Exhibits A; AND,
- (4) awarding the estates of the 9/11 decedents, through the personal representatives and on behalf of all survivors and all legally entitled beneficiaries and family member of such 9/11 decedents, as identified by the Plaintiffs set forth in annexed Exhibits B, compensatory damages for pain and suffering in the same per estate amount previously awarded by this Court regarding other estates of decedents killed in the September 11th attacks, as set forth in Exhibits B; AND,
- (5) awarding compensatory damages to certain Plaintiffs identified in Exhibits B for decedents’ pain and suffering in an amount of \$2,000,000 per estate, as set forth in annexed Exhibits B; AND,
- (6) awarding the estates of the 9/11 decedents, through their personal representatives and on behalf of all survivors and all legally entitled beneficiaries and

¹ This only applies for the plaintiffs in this motion in the above-referenced 2018 matters.

family member of such 9/11 decedent, as identified in annexed Exhibits B, an award of economic damages in the amount as set forth in annexed Exhibits B; AND,

(7) awarding the Plaintiffs identified in annexed Exhibits A and Exhibits B prejudgment interest at the rate of 4.96 percent per annum, compounded annually for the period from September 11, 2001 until the date of the judgment for damages; AND,

(8) granting the Plaintiffs identified in annexed Exhibits A and Exhibits B permission to seek punitive damages, economic damages, and other appropriate damages, at a later date; AND,

(9) granting permission for all other Plaintiffs in these actions not appearing in annexed Exhibits A and Exhibits B to submit applications for damages awards in later stages, to the extent such awards have not previously been addressed; AND,

(10) granting to the Moving Plaintiffs such other and further relief as this Honorable Court deems just and proper.

Plaintiffs' request is made in connection with the judgments on default as to liability entered against Iran as follows:

CASE NAME	CASE NO.	DATE MOTION FOR LIABILITY WAS GRANTED	ECF NO. FOR MOTION FOR LIABILITY THAT WAS GRANTED
<i>Gordon Aamoth, Sr., et al. v. Islamic Republic of Iran</i>	No. 1:18-cv-12276 (GBD) (SN)	09/03/2019	ECF No. 5050
<i>Lloyd A. Abel Sr., et al. v. Islamic Republic of Iran</i>	No. 1:18-cv-11837 (GBD) (SN)	09/03/2019	ECF No. 5048
<i>Cheryl Rivelli, et al. v. Islamic Republic of Iran</i>	No. 1:18-cv-11878 (GBD) (SN)	09/03/2019	ECF No. 5047

<i>Horace Morris, et al. v. Islamic Republic of Iran</i>	No. 1:18-cv-05321 (GBD) (SN)	06/21/2019	ECF No. 4595
<i>Laurence Schlissel, et al. v. Islamic Republic of Iran</i>	No. 1:18-cv-05331 (GBD) (SN)	06/21/2019	ECF No. 4598
<i>Bakahityar Kamardinova, et al. v. Islamic Republic of Iran</i>	No. 1:18-cv-05339 (GBD) (SN)	06/21/2019	ECF No. 4596
<i>Jessica DeRubbio, et al. v. Islamic Republic of Iran</i>	No. 1:18-cv-05306 (GBD) (SN)	05/28/2019	ECF No. 4563
<i>Audrey Ades, et al. v. Islamic Republic of Iran</i>	No. 1:18-cv-07306 (GBD) (SN)	06/21/2019	ECF No. 4594
<i>Chang Don Kim, et al. v. Islamic Republic of Iran</i>	No. 1:18-cv-11870 (GBD) (SN)	09/03/2019	ECF No. 5049
<i>Marinella Hemenway, et al. v. Islamic Republic of Iran</i>	No. 1:18-cv-12277 (GBD) (SN)	09/03/2019	ECF No. 5054
<i>Matthew Rowenhorst, et al. v. Islamic Republic of Iran</i>	No. 1:18-cv-12387 (GBD) (SN)	09/03/2019	ECF No. 5053
<i>BNY Mellon, et al. v. Islamic Republic of Iran</i>	No. 1:19-cv-11767 (GBD) (SN)	01/04/2022	ECF No. 7522
<i>Deborah Bodner, et al. v. Islamic Republic of Iran</i>	No. 1:19-cv-11776 (GBD) (SN)	01/04/2022	ECF No. 7522
<i>August Bernaerts, et al. v. Islamic Republic of Iran</i>	No. 1:19-cv-11865 (GBD) (SN)	01/04/2022	ECF No. 7522

<i>Ber Barry Aron, et al. v. Islamic Republic of Iran</i>	No. 1:20-cv-09376 (GBD) (SN)	01/04/2022	ECF No. 7522
<i>Paul Asaro, et al. v. Islamic Republic of Iran</i>	No. 1:20-cv-10460 (GBD) (SN)	01/04/2022	ECF No. 7522
<i>Michael Bianco, et al. v. Islamic Republic of Iran</i>	No. 1:20-cv-10902 (GBD) (SN)	01/04/2022	ECF No. 7522

Dated: New York, New York
 June 16, 2022

Respectfully submitted,

/s/ Jerry S. Goldman

ANDERSON KILL P.C.

Jerry S. Goldman, Esq.

Bruce E. Strong, Esq.

Alexander Greene, Esq.

1251 Avenue of the Americas

New York, NY 10020

Tel: (212) 279-1000

Fax: (212) 278-1733

Email: jgoldman@andersonkill.com

bstrong@andersonkill.com

agreene@andersonkill.com

Attorneys for Plaintiffs